

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff
vs
JESUS ANTONIO MARTELL-MIESES
Defendant

CRIMINAL 14-0039CCC

ORDER

Having considered the Motion for Immediate Return of Defendant (Re: Mental Evaluation by Retained Expert) filed by defendant Jesús A. Martell-Mieses on July 23, 2014 (**docket entry 23**), and given that he is needed in the jurisdiction in order to be mentally evaluated by his retained mental health expert as allowed by the Court on May 29, 2014 (see docket entry 22), said Motion is GRANTED. Accordingly, the U.S. Marshal Service is ORDERED to return defendant to the jurisdiction forthwith.

Having also considered the Motion to Vacate Scheduling Order (Re: Pending Evaluation by Retained Expert of Unavailable Defendant) filed by defendant Martell-Mieses on July 23, 2014 (**docket entry 24**), and considering that the deadlines established by the Court in its May 29, 2014 Order (docket entry 22) for defendant's evaluation by his expert and the preparation of the report could not be met due to his absence from the jurisdiction, the same is similarly GRANTED. Therefore, the deadlines established in the May 29, 2014 Order are AMENDED as follows:

- the expert's evaluation will be conducted by SEPTEMBER 15, 2014;
- the expert's report shall be prepared by OCTOBER 6, 2014. Defendant shall comply, if requested by the government, with discovery disclosure pertaining to expert witnesses as provided in Fed. R. Crim. P. 16(b)(1)(C):

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- if defendant decides to give notice under Fed. R. Crim. P. 12.2(b) of an intent to present expert testimony on his mental condition, such notice shall be filed by OCTOBER 20, 2014.

The August 28, 2014 jury trial is VACATED and RESET for NOVEMBER 14, 2014 at 9:30 AM.

SO ORDERED.

At San Juan, Puerto Rico, on August 15, 2014.

S/CARMEN CONSUELO CEREZO
United States District Judge